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November 23, 2020

**BY ECF & EMAIL ChambersNYSDMarrero@nysd.uscourts.gov.**

Hon. Victor Marrero  
United States District Judge  
Suite 1610  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: United States v. District Council, et al., 90-Civ-5722 (VM)

Dear Judge Marrero:

The undersigned represent the District Council of New York City & Vicinity of the United Brotherhood of Carpenters and Joiners of America (the "District Council" or the "Union"). We write on behalf of the District Council and the Government. The parties are requesting that Your Honor So Order the enclosed Supplemental Stipulation and Order between the District Council and the Government.

The Supplemental Stipulation and Order is intended to supplement the current Stipulation and Order Regarding Extension of the Independent Monitor's Term filed Oct. 17, 2019 (Docket No. 1842). The Supplemental Stipulation and Order does so in the following ways.

First, it provides a mechanism that materially tracks the procedures originally provided under the March 4, 1994 Consent Decree (Docket No. 410) by which Union members who are allegedly members of an organized criminal group or who associate with members of an organized criminal group ("barred persons" in the language of the Consent Decree) may be charged by the Court-appointed Independent Monitor, Glen McGorty, or the District Council's Inspector General with violating the Consent Decree. Such charges would now be heard before an independent Hearing Officer, with any appeals from the Hearing Officer's decisions being subject to appeal to the Court. The parties have agreed to have Sharon L. McCarty, Esq. of the firm of Kostelanetz & Fink serve as the Hearing Officer.

Second, the Supplemental Stipulation and Order provides for enhanced oversight of the admission of new members to the District Council, the transfer of members into or between Local Unions affiliated with the District Council, and the screening of members seeking to be candidates for Local Union elected offices. The oversight would be exercised by the District Council's Executive Secretary-Treasurer in conjunction with the District Council's Chief Compliance Officer.

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The District Council and Independent Monitor McGorty have concluded that the Supplemental Stipulation and Order would enhance the District Council's compliance efforts, especially in light of the indictments in United States v. Salvatore Tagliaferro a/k/a/ "Sal," and John DeFalco a/k/a "Cigars", 19-CRIM-472 (PAC), S.D.N.Y., filed June 25, 2019, that were quickly followed by the imposition of a trusteeship of Local Union 926 by the District Council's parent international union, the United Brotherhood of Carpenters. The Government agrees.

As Your Honor will note, the term of the Supplemental Stipulation and Order runs through the end of the year. The term of the current Stipulation and Order also expires December 31, 2020. The District Council and the Government agree to the extension of the terms of both the Supplemental Stipulation and Order and the current Stipulation and Order, along with Independent Monitor McGorty's service, for another year through December 31, 2021. The Employer Trustees of the Benefit Funds have also agreed to the extension of the term of the current Stipulation and Order and Mr. McGorty's service through the end of next year. The parties will soon forward to the Court those two documents after they are executed.

Respectfully submitted,

/s/ James M. Murphy  
James M. Murphy

/s/ Barbara S. Jones

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Enclosure

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